
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Write the full name of each plaintiff.

-against-

____ CV ____
(Include case number if one has been assigned)

Do you want a jury trial?

☐ Yes ☐ No

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. PARTIES**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

First Name	Middle Initial	Last Name
Street Address		
County, City	State	Zip Code
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1:

Name

Address where defendant may be served

County, City

State

Zip Code

Defendant 2:

Name

Address where defendant may be served

County, City

State

Zip Code

Defendant 3:

Name

Address where defendant may be served

County, City

State

Zip Code

II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:

Name

Address

County, City

State

Zip Code

III. CAUSE OF ACTION

A. Federal Claims

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☐ **Title VII of the Civil Rights Act of 1964**, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

- ☐ race: _____
- ☐ color: _____
- ☐ religion: _____
- ☐ sex: _____
- ☐ national origin: _____

- ☐ **42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: _____

- ☐ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: _____

- ☐ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: _____

- ☐ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: _____

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- ☐ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- ☐ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- ☐ Other (may include other relevant federal, state, city, or county law):

IV. STATEMENT OF CLAIM

A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☐ did not hire me
- ☐ terminated my employment
- ☐ did not promote me
- ☐ did not accommodate my disability
- ☐ provided me with terms and conditions of employment different from those of similar employees
- ☐ retaliated against me
- ☐ harassed me or created a hostile work environment
- ☐ other (specify): _____

B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

- ☐ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? _____

- ☐ No

Have you received a Notice of Right to Sue from the EEOC?

- ☐ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? _____

When did you receive the Notice? _____

- ☐ No

VI. RELIEF

The relief I want the court to order is (check only those that apply):

- ☐ direct the defendant to hire me
- ☐ direct the defendant to re-employ me
- ☐ direct the defendant to promote me
- ☐ direct the defendant to reasonably accommodate my religion
- ☐ direct the defendant to reasonably accommodate my disability
- ☐ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)

VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

	<i>Ivan To Man Pang</i> Plaintiff's Signature	
Dated		
First Name	Middle Initial	Last Name
Street Address		
County, City	State	Zip Code
Telephone Number	Email Address (if available)	

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.



**United States District Court
Southern District of New York**

Pro Se (Nonprisoner) Consent to Receive Documents Electronically

Parties who are not represented by an attorney and are not currently incarcerated may choose to receive documents in their cases electronically (by e-mail) instead of by regular mail. Receiving documents by regular mail is still an option, but if you would rather receive them only electronically, you must do the following:

1. Sign up for a PACER login and password by contacting PACER¹ at www.pacer.uscourts.gov or 1-800-676-6856;
2. Complete and sign this form.

If you consent to receive documents electronically, you will receive a Notice of Electronic Filing by e-mail each time a document is filed in your case. After receiving the notice, you are permitted one “free look” at the document by clicking on the hyperlinked document number in the e-mail.² Once you click the hyperlink and access the document, you may not be able to access the document for free again. After 15 days, the hyperlink will no longer provide free access. Any time that the hyperlink is accessed after the first “free look” or the 15 days, you will be asked for a PACER login and may be charged to view the document. For this reason, *you should print or save the document during the “free look” to avoid future charges.*

IMPORTANT NOTICE

Under Rule 5 of the Federal Rules of Civil Procedure, Local Civil Rule 5.2, and the Court’s Electronic Case Filing Rules & Instructions, documents may be served by electronic means. If you register for electronic service:

1. You will no longer receive documents in the mail;
2. If you do not view and download your documents during your “free look” and within 15 days of when the court sends the e-mail notice, you will be charged for looking at the documents;
3. This service does *not* allow you to electronically file your documents;
4. It will be your duty to regularly review the docket sheet of the case.³

¹ Public Access to Court Electronic Records (PACER) (www.pacer.uscourts.gov) is an electronic public access service that allows users to obtain case and docket information from federal appellate, district, and bankruptcy courts, and the PACER Case Locator over the internet.

² You must review the Court’s actual order, decree, or judgment and not rely on the description in the email notice alone. See ECF Rule 4.3

³ The docket sheet is the official record of all filings in a case. You can view the docket sheet, including images of electronically filed documents, using PACER or you can use one of the public access computers available in the Clerk’s Office at the Court.

CONSENT TO ELECTRONIC SERVICE

I hereby consent to receive electronic service of notices and documents in my case(s) listed below. I affirm that:

1. I have regular access to my e-mail account and to the internet and will check regularly for Notices of Electronic Filing;
2. I have established a PACER account;
3. I understand that electronic service is service under Rule 5 of the Federal Rules of Civil Procedure and Rule 5.2 of the Local Civil Rules, and that I will no longer receive paper copies of case filings, including motions, decisions, orders, and other documents;
4. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address, or if I wish to cancel this consent to electronic service;
5. I understand that I must regularly review the docket sheet of my case so that I do not miss a filing; and
6. I understand that this consent applies only to the cases listed below and that if I file additional cases in which I would like to receive electronic service of notices of documents, I must file consent forms for those cases.

Civil case(s) filed in the Southern District of New York:

Note: This consent will apply to all cases that you have filed in this court, so please list all of your pending and terminated cases. For each case, include the case name and docket number (for example, John Doe v. New City, 10-CV-01234).

Name (Last, First, MI)

Address

City

State

Zip Code

Telephone Number

E-mail Address

Date

Signature

Ivan To Man Pang

Return completed form to:

Pro Se Intake Unit (Room 200)
500 Pearl Street
New York, NY 10007

I was retaliated and discriminated by Cushman & Wakefield, the employment period which covered March 1, 2014 to May 31, 2019. I believe I was discriminated again because of my age and gender.

I started at Cushman & Wakefield in March, 2014 when it received an assignment from CitiBank to manage 1300+ properties in North America. For this endeavor there were only 5 people in the financial team in New York City, 11 people in Account Payables team in Arizona and 600-700 people staffs working on the fields. I was one of the two Senior Accountant, one Staff Accountant, a Manager and the Director in NYC. Everything needed to be built and setup at that time. My responsibilities included setup budget, purchase order accrued, prepared financial statement and vendor allocation. Because the project to outsource the Account Payables to India failed, I was assigned to create and process all the national vendors' invoices in the first year. It covered 60% of the total volume and 21% of gross paid of all the account payable transactions on the 1st year. I also helped to save millions of dollars for processing invoices to chargeback CitiBank. Our team eventually grew from 5 to 7 people at 2018. The assignment was very successful and earned a decent profit.

From my start as Senior Accountant I was underpaid. The average salary for the position in assignments of comparable size is in the range of \$90,000 to \$110,000. My initial starting salary was \$75,000. The hope was for my compensate to increase as reflection of my contributions, but I was informed on multiple occasions that it would not be possible to raise my salary to the market average. Further more I had the most responsibility on my team, including being responsible for overseeing the training of new employees, which included all interns and temporary workers. Most the time, I need to cover any of my colleagues when they were off.

I believe I was discriminated against because of unequal treatment compared with other employees. In November 2018, the junior accountant Baynes, a white female, was transferred to our team in 2016. She received an initial raise of \$10,000 for the transfer and received another pay increase from \$47,739 to \$57,739. I am aware of this because I was involved in the payroll process. I asked management for another salary evaluation to be adjusted to the market average, as they had done for Baynes. However, Carley (Finance Director) denied my request and insisted Baynes' salary below market. I subsequently submitted a transfer request to Human Resources to transfer to other assignment because I felt I was being treated differently due to my age, race and gender.

I believe there may be discrimination due to inconsistency between my assignments and compensation. I was frequently assigned to train new employees, yet I was also told that I am an underperformer. I was often assigned to new projects and tasks, and I have the highest workload out of all on our team. In comparison, all the female workers on our team have received significant salary increases and bonuses, especially the younger white females. Younger white females also carry a lower workload and have received salary increases ranging from 19% to 36%, yet non-whites

have received salary increase ranging from 11% to 16%. (see salary comparison).

In March 2019, Carley and Ye asked me to a meeting. I met them in a large conference room where I was told I was receiving a poor performance review for my work in 2018. I was shocked, as I had received excellent performance reviews for the last three years and I had not been previously informed that there were problems with my performance. I was in fact performing well, and this performance review was inaccurate in several respects and appeared to be influenced by discriminatory and/or retaliatory bias.

As a result of this review, I was required to have a meeting with Human Resources. Prior to having this meeting, I sent an email to Lanciers (HR Manager) informing her of the performance review that I had received for 2018. I conveyed concerns that the review was unjustified and that I was being reprimanded in retaliation for raising protected concerns to Ye in November 2018. However, Lanciers ignored my protected concerns and seemingly refused to address them. Shockingly, rather than address my protected concerns, Lanciers stated that I needed to be put on a performance improvement plan (PIP). Alarmed by this blatant retaliation and the ignoring of his protected concerns, I escalated this email to Lanciers' manager Laura Sheehan ("Sheehan"), who referred the matter to the senior manager of employee relationships, Renae Stokke ("Stokke").

As a result of this email, Stokke started an investigation into my concerns. Again, in what was a clear pattern of retaliation, during this investigation, I was given much more work than usual by Ye, seemingly in a discriminatory/retaliatory manner for causing the investigation to be started. For example, I was given much more account payable work, having to reconcile two months of accounts payable work within a day's timeframe. When Stokke concluded her investigation, with no questioning of myself, Stokke concluded that there was nothing wrong on my performance review and all the additional works during the time. When I asked for examples of my poor performance to justify the poor performance review, Stokke was unable to give any examples to substantiate this conclusion.

In or around the end of April 2019, I was given a "Memo of Expectation" that set out what the Company asserted I had to do (without justification or substantiation) to improve my performance and listed the alleged mistakes that I had made in the past year. A meeting was set with Scott Snow (HR Manager), Ye, Carley and me. However, when we reviewed this memo, many of these supposed mistakes had not actually occurred and, even if they had occurred, the mistakes were minor mistakes and other younger, non-Asian coworkers and/or coworkers who had not raised concerns routinely made similar mistakes and were not reprimanded. Furthermore, Ye had concocted false examples of mistakes to justify my performance review. I was told I needed to sign this memo, or I would not be allowed to go back to work. Given that this memo was full of false information, I again protested my

discriminatory and retaliatory treatment and refused to sign it and was therefore suspended from work for this refusal.

As a result of not signing the memo, I was suspended. A meeting was to be set up to revisit the accusations that were made in the memo. However, the meeting was never set up and never occurred. During my suspension, the Company appeared to be searching for a pretextual excuse to retaliate against me. There was another investigation done by Kifi Haque (the director of employee relations). I was called during my leave and we went through the memo to determine the veracity of the comments contained in it. Haque admitted that the information contained in the memo was in fact inaccurate. The memo was revised to correct these inaccuracies.

During the investigation, the amount of work given to me was increased in a retaliatory manner. For example, I was given the entire workload of another employee and expected to do it in less time than would normally be assigned to this workload. Notably, this was in addition to my normal responsibilities. Further, Ye would constantly ask me to go faster, even though I was completing the work faster than the employee's workload I had taken.

Due to this increased workload, I experienced increased anxiety, leading to grinding of my teeth at night, causing me extreme pain. When I visited my doctor, I was told that I needed to take two weeks off to recover from the pain and see a psychologist for my increased anxiety. As such, I requested two weeks of personal vacation since I didn't take any vacation on 2019. However, the company informed me that I have to take FMLA instead of personal vacation for more than 3 days of my sickness. Resulting to get less pay for FMLA leave, I decided to get back to work.

During my sick leave, I tried to collect all the works submitted to Anthony Ye (Manager) through remote access to write email to Human Resource to show that I have no delay or decline performance. I forwarded all those emails which do not include any federal tax ID or SS# to my personal email account. Unfortunately, I did not have a chance to write the email to Human Resource to prove my innocent but got terminated afterward.

When I returned from this leave, I found my Citibank email account was frozen, due to the allegation that I was sending emails from Citibank account to my personal email account, a practice that was allowed in the past. I had also never previously been told that this practice was not allowed, and certainly not that it was an issue classified as serious misconduct. As a result of this allegation, I was suspended from the Company again. Three days into my suspension, I was called by Ye and told that I was terminated from this Company. Given the temporal proximity of this termination to my raising protected concerns and the investigation into my protected concerns, it is clear that my termination was due to retaliation.

Below are the timelines of my complaint:

- Nov. 2018 - I requested salary increase based on a junior accountant got increase \$10k and got rejected.
- 12-28-18 Raised a question about my job issue with HR (I have email backup)
- 12-05-18 HR told me not much they can do and suggested me to apply internal transfer. I sent her my resume.
- 03-10-19 Received my performance review for 2018 which indicated "Need Improvement" and my 2017 review was "Very good Performance".
- 03-13-19 Contacted HR to rise a concern about my 2018 performance and looking for help to transfer. (I have email backup)
- 03-18-19 Made a formal complaint about the 2018 review. (I have email backup)
- 03-21-18 Emailed HR an example about manager treated me unfair. (I have email backup)
- 04-01-19 Received Email form HR saying no finding and suggest escalate to HR director. (I have email backup)
- 04-04-19 Wrote formal complaint email to HR and cc colleagues. (I have email backup)
- The 2nd & 3rd week of April 2019 Employee Relations Senior Manager Renae Stokke assigned to investigate my complaint by phone. I request the example of my mistakes or any kinds of evidences about my poor performance during the phone meeting.
- 04-23-19 Renae called me back with no examples to provide and HR tried to schedule meeting for my Improvement plan.
- 04-24-19 Renae emailed back regarding the result of investigation. (I have email backup)
- 04-29-19 Meeting with Scott (HR manager), Anthony (my manager) and Bill (director) went over Improvement plan and received "Memo of Expectation". We went over the Memo and found that the memo wasn't accurate and missing emails to support the memo. We agreed to schedule another meeting to continue. Bill and Anthony promised to provide supporting emails before the next meeting. During this period, Scott told me that I was not allow to work until I sign the memo.
- 05-01-19 Emailed Scott to rise the discrimination concern. (I have email backup)
- 2nd week of May 2019 Head of Employee Relations Kifi Haque contacted me regarding discrimination concern.
- 05-09-19 Kifi emailed me discussed pay me severance to leave the company. (I have email backup)
- 05-10-19 Kifi called me on the phone told me that management would like to apart me from the employment.
- 05-13-19 Formally emailed HR regarding my discrimination concern. (I have email backup)

- 05-16-19 Kifi emailed me to go back to work from the suspension. (I have email backup)
- 05-28-19 Emailed myself all the jobs emails submitted to Manager in order for me to write emails at home to prove I didn't have any attitude during the time. (I have email backup)
- 05-31-19 Got terminated from C&W because sending out emails contained protected information.

I believe I was subjected to a severe and pervasive hostile work environment, denied transfers, paid less and given lower pay in a discrimination manner due to my age and gender. I also believe Cushman subjected me to a hostile and harassing work environment, reduced my pay, and/or fired me in a retaliatory manner because I raised protected concerns regarding discrimination. I have suffered and continue to suffer damages, including but not limited to lost wages, lost earning capacity, lost employment benefits, emotional distress, humiliation, inconvenience, and loss of enjoyment of life. I seek all damages to which I am entitled. I seek all damages to which I am entitled, including compensatory damages (including but not limited to lost wages, reduced earning capacity, lost employment benefits, emotional distress, humiliation, inconvenience and loss of enjoyment of life), liquidated damages, punitive damages, interest and costs.

Appendix I – Salary Comparison 2014-2019

Appendix II – 2017 Year-end review

Appendix III – 2018 Year-end review

Appendix IV – EEOC Charge

Appendix V – Memo of Expectations 4-29-19

Appendix VI – Memo of Expectation(revise) 5-17-19

Appendix VII – EEOC – Notice of suit rights

Appendix VIII – EEOC – Dismissal Letter

Appendix IX – Job responsibilities

Appendix X – Note from manager indicate bonus cut

Appendix I – Salary Comparison 2014-2019

Name	Title	Age	Race/Gender	2014	2015		2016		2017		2018	
				Salary	Bonus	Salary	Bonus	Salary	Bonus	Salary	Bonus	Salary
YE,ANTHONY	Financial Manager	late 30's	Chinese/Male	115,000.00	30,000.00	130,000.00	40,000.00	136,500.00	45,000.00	143,325.00	50,000.00	146,191.00
HUYNH,WINNIE L.	Senior Accountant	early 40's	Chinese/Female	77,500.00	5,000.00	81,000.00	8,000.00	83,838.00	11,000.00	86,770.00	9,500.00	89,809.00
PANG,TO MAN	Senior Accountant	54	Chinese/Male	75,000.00	3,750.00	77,250.00	8,000.00	79,954.00	11,000.00	82,750.00	9,000.00	84,820.00
CARLEY, III,WILLIAM	Finance Director	mid 50's	White/Male	150,000.00	50,000.00	175,000.00	80,000.00	187,304.00	80,000.00	192,900.00	95,000.00	200,640.00
PAUL,SHELLY	Account Payable Manager	late 40's	White/Female	85,000.00	9,000.00	90,000.00	10,000.00	94,506.00	11,000.00	99,230.00	10,000.00	102,209.00
BOVE,LAURA M.	Financial Analyst	late 30's	White/Female			80,000.00	11,000.00	87,000.00	15,000.00	91,350.00	10,000.00	95,004.00
BAYNES,CHRISTINE N.	Junior Accountant	late 20's	White/Female			35,000.00	2,000.00	45,000.00	2,500.00	46,575.00	5,600.00	47,739.00
RAMIREZ,LINA X.	Accountant	late 30's	Dominican Republic/Female	68,000.00	2,000.00	70,000.00	3,000.00	72,141.00	5,000.00	74,300.00	8,000.00	75,605.00

			1st Year		2nd Year		3rd Year		4th Year		5th Year	
			% Increase	Bonus %	% Increase	Bonus %	% Increase	Bonus %	% Increase	Bonus %	% Increase	Bonus %
YE,ANTHONY	Financial Manager	Chinese/Male	13.04%	26.09%	5.00%	30.77%	5.00%	32.97%	5.00%	34.89%	2.00%	
HUYNH,WINNIE L.	Senior Accountant	Chinese/Female	4.52%	6.45%	3.50%	9.88%	3.50%	13.12%	3.50%	10.95%	3.50%	
PANG,TO MAN	Senior Accountant	Chinese/Male	3.00%	5.00%	3.50%	10.36%	3.50%	13.76%	3.50%	10.88%	2.50%	
CARLEY, III,WILLIAM	Finance Director	White/Male	16.67%	33.33%	7.03%	45.71%	2.99%	42.71%	2.99%	49.25%	4.01%	
PAUL,SHELLY	Account Payable Manager	White/Female	5.88%	10.59%	5.01%	11.11%	5.00%	11.64%	5.00%	10.08%	3.00%	
BOVE,LAURA M.	Financial Analyst	White/Female	-	13.75%	8.75%	13.75%	5.00%	17.24%	5.00%	10.95%	4.00%	
BAYNES,CHRISTINE N.	Junior Accountant	White/Female		5.71%	28.57%	5.71%	3.50%	5.56%	3.50%	12.02%	2.50%	
RAMIREZ,LINA X.	Accountant	Dominican Republic/Female	2.94%	2.94%	3.06%	4.29%	2.99%	6.93%	2.99%	10.77%	1.76%	

			Over All %	Over All Bonus	# of Yrs
YE,ANTHONY	Financial Manager	Chinese/Male	27.12%	165,000.00	5
HUYNH,WINNIE L.	Senior Accountant	Chinese/Female	15.88%	33,500.00	5
PANG,TO MAN	Senior Accountant	Chinese/Male	13.09%	31,750.00	5
CARLEY, III,WILLIAM	Finance Director	White/Male	33.76%	305,000.00	5
PAUL,SHELLY	Account Payable Manager	White/Female	20.25%	40,000.00	5
BOVE,LAURA M.	Financial Analyst	White/Female	18.76%	36,000.00	4
BAYNES,CHRISTINE N.	Junior Accountant	White/Female	36.40%	10,100.00	3
RAMIREZ,LINA X.	Accountant	Dominican Republic/Female	11.18%	18,000.00	5

Ivan Pang

Client Accounting Professional II

Manager: Anthony Ye

Evaluated By: Anthony Ye

Year End 2017

Organization: GOS - Tri-State - Finance (Anthony Ye)

Location: B - USA - NY - New York - 388 Greenwich St
(citcomony)

01/01/2017 - 12/31/2017

Overall**Manager Overall Evaluation****Rating:** Very Good Performance**Comment:** Ivan is a very hard working employee. He always finish his works and projects quickly and correctly. During the last 4 years of working with him, he grew a lot with paid more attention to detail and not rush to finish his works. There are still some responsibilities that we like to transfer to Ivan but due to additional RFP and audit requests we were not able to. We will move these to 2018 objectives.**Employee Overall Evaluation****Comment:****Goals****Review all the allocation vendor invoice uploads.**

- To check and verify the building code and amount of all the invoices.
- Distribute the reconciled monthly expense to the sub-regions and ask them to acknowledge approval of the charges in order to release payments.

Due Date: 02/28/2018**Status:** 3 - In Progress**Completion Date:****Category:** Financial**Manager Evaluation****Comment:** This is still an on going process. Ivan still preparing allocation uploads while Shelly is out. I will like to transfer my monthly vendor allocation review to him and approval of allocation invoice by the FMs. However, due to RFP and audit request we are not able to transfer some of the responsibilities. This will be one of our 2018 objectives.**Employee Evaluation****Comment:****Train and follow-up with Christine Baynes to take over Above Baseline invoicing**

Christine has accounting background who works on the site office but help out two days a week with our team.

Due Date: 06/30/2016**Status:** 4 - Successfully
Completed**Completion Date:** 06/30/2016**Category:** Financial**Manager Evaluation****Comment:** Completed and transferred to Christine**Employee Evaluation****Comment:**

Turn over recording cash receipts to Christine Baynes

Check the bank and record all the deposits from Citigroup both BAU and OOS daily.

Due Date: 12/31/2017 Status: 4 - Successfully Completed Completion Date: 10/31/2017

Category: Financial

Manager Evaluation

Comment: Ivan trained Christine how to enter the receipts correctly and how to match the Citi payment to make sure all the funding from Citi are applied correctly. Completed and transferred to Christine.

Employee Evaluation

Comment:

Update and maintain a full month-over-month roll-forward schedule for ABM and C&W Facility Services Contract cleaning

- Cleaning costs of each sites match to sourcing department.
- Have the vendor provide written explanation of month-over-month variances by properties.

Due Date: 12/31/2017 Status: 4 - Successfully Completed Completion Date: 11/15/2017

Category: Financial

Target: 100.00%

Actual: 100.00%

Manager Evaluation

Comment: Ivan created and maintained this ABM and C&W Service cleaning costs schedule for 2017. It was a little messy at the beginning with mismatch sites. The schedule is now current and up to date. Bill and I use it to review and analysis our contract cleaning costs. We can also review the monthly billing variance as well. Good job.

Employee Evaluation

Comment:

 Section Summary

Manager Evaluation

Comment:

Employee Evaluation

Comment:

Ivan Pang**Year End 2018**

Client Accounting Professional II

Organization: GOS - Tri-State - Finance (Anthony Ye)

Manager: Anthony Ye

Location: B - USA - NY - New York - 388 Greenwich St
(citcmny)

Evaluated By: Anthony Ye

01/01/2018 - 12/31/2018

Overall**Manager Overall Evaluation****Rating:** Needs Improvement

Comment: With our new contract with Citi this year, there have been a lot more requests from the client and C&W Corp. Everyone is working very hard and helping others. Ivan helped out on some of the requests. However, he needed some interpretation on few requests. He also asked to defer 1 request to Christine. In the coming year, we will hire 1 more accountant to ease some of our work loads. We will also create a finance calendar for everyone individually. so, everyone will know what to do daily and monthly.

Employee Overall Evaluation

Comment: I had been given additional new tasks plus a lot of ad hoc projects during the past year. I believe we need to review my work load again.

Goals**Allocation vendor trending report**

Create trending report for major allocation vendor to check the changes of monthly service fee. Follow-up with the site if there is any change.

Due Date: 11/30/2018**Status:** 4 - Successfully
Completed**Completion Date:** 10/31/2018**Category:** Financial**Target:** 100.00%**Actual:** 100.00%**Manager Evaluation**

Comment: Ivan started the trending report for all the allocation vendors. However, he needs reminder to update them on a monthly basis. I have been using this trending reports to review the monthly allocation vendor invoices and it's a great tool for me to review the invoices.

Employee Evaluation**Comment:****Payroll variance report**

Create weekly payroll variance report for actual vs budget hours and send it to the site manager to review. We will also send the monthly and Year-To-Date report sum up with hours and dollar amount in all paid period send it to the site to review.

Due Date:**Status:** 4 - Successfully**Completion Date:** 11/30/2018

Completed

Category: Financial

Target: 100.00%

Actual: 80.00%

Manager Evaluation

Comment: Ivan created these payroll reports all by himself. however, the reports still need some minor touch up before we can distribute them to the directors. He also need to keep up with the monthly updates.

Employee Evaluation

Comment:


Section SummaryManager Evaluation

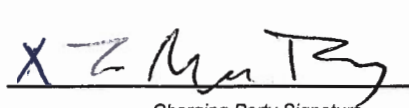
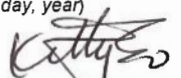
Comment: Ivan worked closely with me to create the new payroll reports and the allocation vendor trending reports this year. However, he needs reminder to update the reports every month. He also needs reminder for Bill's monthly AP and JE reports. We are trying to create individual finance calendar for everyone. So, they can refer to the calendar for their daily and monthly to do list.

Employee Evaluation

Comment:

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div style="text-align: right;"> 520-2019-03163 </div> </div>	
New York State Division Of Human Rights and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) Mr. To Man Pang		Home Phone (Incl. Area Code) <div style="border: 1px solid black; width: 100px; height: 30px; margin: 0 auto;"></div>	
Date of Birth 7/24/65			
Street Address 8515 Main Street, #10G,		City, State and ZIP Code Briarwood, NY 11435	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name CUSHMAN & WAKEFIELD		No. Employees, Members 50,000+ 45,000 <i>T.M.P.</i>	
Street Address 1290 Avenue of the Americas,		City, State and ZIP Code New York, NY 10104	
Name Citigroup		No. Employees, Members 200,000+	
Street Address 388 Greenwich St.,		City, State and ZIP Code New York, NY 10013	
DISCRIMINATION BASED ON (Check appropriate box(es).) <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RACE</div> <div style="margin-right: 10px;"><input type="checkbox"/> COLOR</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> SEX</div> <div style="margin-right: 10px;"><input type="checkbox"/> RELIGION</div> <div style="margin-right: 10px;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> AGE</div> <div style="margin-right: 10px;"><input type="checkbox"/> DISABILITY</div> <div style="margin-right: 10px;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> OTHER (Specify)</div> </div>		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest <div style="text-align: right; font-weight: bold;">05-10-2019</div> <div style="margin-top: 10px;"><input checked="" type="checkbox"/> CONTINUING ACTION</div>	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <div style="text-align: center; font-size: 1.2em; font-weight: bold;">SEE ATTACHED</div> <div style="position: absolute; right: 0; bottom: 0; text-align: right;">  </div>			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.	NOTARY – When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT <div style="text-align: right; font-weight: bold;">Kitty So</div> Notary Public, State of New York No. 01SO6159671 Qualified in Queens County Commission Expires Jan. 22, 2023
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> 6/15/19 <i>Date</i> </div> <div style="text-align: center;">  <i>Charging Party Signature</i> </div> </div>	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE 6/15/2019 <i>(month, day, year)</i> 

I would like to file a Charge of Discrimination regarding my employment at Cushman & Wakefield and Citigroup, which covered March 1, 2014 to May 31, 2019. I believe I was discriminated against because of my age, gender and race.

I started at Cushman & Wakefield in 2014 when it received an assignment from CitiBank to manage 1300+ properties in North America. For this endeavor there were only 5 people in New York City and Account Payables team in Arizona. I was one of the two Senior Accountant, one Staff Accountant a Manager and the Director in NYC. Everything needed to be built and setup at that time. My responsibilities included setup budget, purchase order accrued, prepared financial statement and payroll entries. Because the project to outsource the Account Payables to India failed, I was assigned to create and process all the national vendors' invoices in the first year. It covered 60% of the total volume and 21% of gross paid of all the account payable transactions on the 1st year. I also helped to save millions dollars for processing invoices to chargeback CitiBank. Our team eventually grew to 7 people at 2018. The assignment was very successful and earned a decent profit.

From my start as Senior Accountant I was underpaid. The average salary for the position in assignments of comparable size is in the range of \$90,000 to \$110,000. My initial starting salary was \$75,000. The hope was for my compensate to increase as reflection of my contributions, but I was informed on multiple occasions that it would not be possible to raise my salary to the market average.

I believe I was discriminated against because of unequal treatment compared with other employees. In November 2018, the newest junior accountant, a white female, was transferred to our team in 2016. She received an initial raise of \$10,000 for the transfer and received another pay increase from \$47,739 to \$57,739. I am aware of this because I was involved in the payroll process. I asked management for another salary evaluation to be adjusted to the market average but was declined again. I subsequently submitted a transfer request to Human Resources to transfer to other assignment.

In March, I was issued an Improvement Plan as a result of my 2018 performance review. Prior to this, I was never given any verbal or written communication regarding poor performance. The Improvement Plan provided inaccurate examples and the company agreed to revise it but it still was inaccurate. After receiving the Improvement Plan, I was assigned extra work that outside of my normal responsibilities to assist another employee who had not completed an assignment, which was two months overdue; I was given a very short time frame to complete the work, and I believe this is unfair and management potentially set me up for underperformance.

I submitted a letter of complaint to the Human Resources about the potential discrimination. I am the oldest employee and the only Asian male on my team of six staff under the director. The salary increase and bonuses that I receive were consistently the lowest out of the team, except for one other staff accountant who does not have a college degree and is already maxed out in her salary level.

I believe there may be discrimination due to inconsistency between my assignments and compensation. I was frequently assigned to train new employees, yet I was also told that I am an underperformer. I was often assigned to new projects and tasks, and I have the highest workload out of all on our team. In comparison, all the female workers on our team have received significant salary increases and bonuses, especially the white females. White females also carry a lower workload. White females on the team have received salary increases ranging from 19% to 36%, yet non-whites have received salary increase ranging from 11% to 16%.

I was terminated from Cushman & Wakefield shortly after I submitted the letter of complaint to the

KITTY SO
Notary Public, State of New York
No. 01SQ6159671
Qualified in Queens County
Commission Expires Jan. 22, 2023

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6/15/19

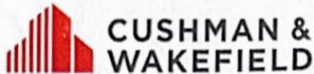
Human Resources because of the claim that I transmitted confidential e-mails to parties external to the company; this claim is false. My belief is that as I became vocal with direct management and central Human Resources about the history of unequal treatment, I was subsequently put in situations which would cause underperformance, thereby providing an undue cause to be terminated.

I formally submit this Charge of Retaliation and Discrimination to the EEOC for investigation.

KITTY SO
Notary Public, State of New York
No. 01SO6159671
Qualified in Queens County
Commission Expires Jan. 22, 2023

Z. An R
6/15/19

Kitty So ~~6/18/19~~ (KS)
6/15/19



To: Ivan Pang, Senior Accountant
From: Anthony Ye, Finance Manager
 Bill Carley, Director of Finance
CC: Personnel File
 Scott Snow, HRBP
Date: Monday, April 29th, 2019
Re: Memo of Expectations

Ivan,

You are a valued member of the Accounting team. When you are working hard, productive and positively, your work meets our expectations.

However, since the incident in November of last year, where you used confidential pay information about another employee to ask for a compensation increase for yourself, your overall attitude drastically changed; you have become very negative, your work product has had a high number of errors, and you have pushed back on every request made of you. Additionally, when we've tried to give you constructive feedback, you have been unable to control your emotions and your outbursts towards management has been unacceptable.

In order for you to continue your employment with Cushman & Wakefield, your unprofessional behavior and performance issues must cease immediately. **I need to be very clear on this point; In the event that the below expectations and performance issues are not improved immediately, your employment relationship with Cushman & Wakefield may be terminated.** It is expected that good performance and professional behavior will be sustained on an ongoing basis.

- **Work Related Errors & Attention to Detail** – There are consistent and repeated errors on regular and expected job tasks. When you send work to management with errors, we have to take the time to carefully review your work and send it back to you to correct; this had led to doubts that your work is accurate. This is inefficient and unacceptable at your level as Senior Accountant.
 - Examples include invoice coding, billing spreadsheets, sending incorrect reports or documents, changing and/or deleting important spreadsheets and forgetting to send necessary documents.
 - ✓ ○ On 10/31/18, I asked you to record the transfer from Agency to Principle bank account with specific GL accounts, and you entered this incorrectly.
 - On 11/19/18, we spoke about your performance and the mistakes that were occurring. The issue was the 2018 solid waste budget and the method to compare the annualized baseline budget with the annualized actual spend. After Bill initially made the request and offered feedback that it was done incorrectly, I also explained what was needed. Although you re-did the project, it was still done incorrectly. We also discussed errors in the data entry for the GL accounts during this conversation.
 - ✓ ○ On 12/21/18, I asked you to record the funds transferred to C&W Corp, and this was entered incorrectly.
 - On 1/24/19, I asked you to record two wire transfers to C&W Corp. One of the transfers was entered incorrectly and the second transfer was missed completely.
 - On 3/27/19, when reviewing the daily activities for TD Bank, there were two cash receipts from Citigroup that were not recorded in Yardi, which resulted in the cash balance being understated. Again, it is critical to partner closely with Christina on these items.

No Support documents
 Not enough Emails
 deficit



- Another example from would be the invoices for Verizon Wireless. On 3/28/19, I pointed out that the invoices were uploaded incorrectly and you responded, saying that the error was "no big deal."

It is an expectation that work is completed with a high level of attention to detail, reviewed for errors before submitting to supervisors, and the number of errors in work product are kept to a minimum.

- **Meeting Deadlines** – Deadlines are consistently missed.

- Examples include invoices ~~being due to me by noon every Monday~~, which are often late; the vendor contract due dates for February were missed, receivables report was late last month, and the overnight delivery of the client monthly report in January was missed.
- For January and February 2019, there were issues with month-end financial reports, which are needed to support the operation and the finance team. In January, the payable trade report was done incorrectly (Capitol and CMS should be combined into one top ten vendor). And in February, the payable trade report was off by \$1m due to missing invoices from the previous month.
- When we met on 3/14/19 to discuss your 2018 Performance Review, we discussed the allocation trending report that was missing updates for the last three months. While you stated the reports were updated regularly, I explained that no one on the team was aware of or had access to the updated reports. You then acknowledged that the reports were only saved to your local drive instead of sharing with the team.

Hard to do with deadline

\$1 ago drop.

Need Documents

It is an expectation that all deadlines are met on time and are not missed.

- **Following Directives** – You struggle with following directions related to instructions and directives given to you by management, and often argue with your supervisor's directions and feedback.
 - You are unwilling to pitch in and help to cover a teammate's work when someone is out. You have continually told me to give the work to someone else, which is unacceptable. For the tasks that you do complete, you are taking an excessive amount of time to complete the work. You seem to view my direction as suggestions and it appears you do not respect my experience and guidance.
 - On 12/14/18, I asked you to help review the weekly funding request from ProKarma, and even visited your office to demonstrate how it should be done. You responded by asking if you would be responsible going forward, and suggesting I re-assign this work to Christine.
 - On 3/12/19, I asked you to help accrue four invoices into February for the fiscal year-end close. You took it upon yourself to split the work and save half for the next day. 3/12 was the last day for us to post the entries, so your delay created extra work for the team to meet the deadline and avoid any negative financial impact.

It is an expectation of this role that directions related to job tasks are followed and completed in a timely and professional manner.

- **Professional Behavior** – You get frustrated and angry frequently, especially when you are receiving feedback from management, asked to perform a task or if management is asking questions or getting clarification on work you've submitted.



- You have displayed an indifferent attitude about your mistakes (3/28/19 email, where you said, "no big deal" about correcting an error).
- Management faces an email-war with you on every single task asked of you to perform. You will oftentimes ask for someone else to be assigned the task, which is unacceptable.
- You have not displayed the "team player" attitude that we expect of a Senior Accountant.
- Your actions are very hostile towards management in face-to-face meetings. You aggressively deny anything we say. Your demeanor and body language are defiant and condescending, including rolling your eyes and snorting in a derisive way towards what we say; you show no interest in what we have to say.
- Additionally, as part of your job functions, you have access to sensitive and confidential payroll and salary information. You used confidential information regarding a peer to argue your request for a pay increase. It is inappropriate for you to use the information you have access to in the normal functions of your role for your personal purpose. We make all compensation decisions based on overall job performance and will not further discuss another employee's compensation.

It is an expectation that a professional demeanor and behavior is maintained at all times and an appropriate sound level is maintained for an office environment. Insubordination will be not tolerated.

Summary of Expectations Going Forward to Continue Employment:

1. Thorough review and attention to detail on all job tasks to eliminate errors.
2. All deadlines are met; work is submitted on time, all the time.
3. All job-related directions from supervisor are followed without pushback.
4. Professional behavior is maintained at all times.

Ivan, it is important for you to know that we are here to help you be successful, but you must be willing to take ownership of the feedback that is being provided.

If you would like to speak with someone outside of work regarding this incident or any other personal issues please consider contacting Managed Health Network, Inc. (MHN), Cushman & Wakefield's free and confidential third-party Employee Assistance Program ("EAP") provider. The telephone number for MHN is 1-844-523-3364. You may also explore more about this confidential service by visiting their website at:

mhn.advantageengagement.com

Register with the company code: cushwake

Manager Signature

Date

I have read and understand the above. My signature on this document reflects that I have been presented with this document.

Employee Signature

Date



TO: IVAN PANG, SR. ACCOUNTANT
From: Anthony Ye, Finance Manager
 Bill Carley, Director of Finance
CC: Personnel File
 Scott Snow, HRBP
Date: Friday, May 17, 2019
Re: Memo of Expectations

Ivan,

You are a valued member of the Accounting team. When you are working hard, productive and positively, your work meets our expectations.

However, since the incident in November of last year, where you used confidential pay information about another employee to ask for a compensation increase for yourself, your overall attitude drastically changed; you have become very negative, your work product has had a high number of errors, and you have pushed back on every request made of you. Additionally, when we've tried to give you constructive feedback, you have been unable to control your emotions and your outbursts towards management has been unacceptable.

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 - On 10/31/18, I asked you to record the transfer from Agency to Principle bank account with specific GL accounts, and you entered this incorrectly.
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- You have displayed an indifferent attitude about your mistakes (3/28/19 email, where you said, “no big deal” about correcting an error).
- Management faces an email-war with you on every single task asked of you to perform. You will oftentimes ask for someone else to be assigned the task, which is unacceptable.
- You have not displayed the “team player” attitude that we expect of a Senior Accountant.
- Your actions are very hostile towards management in face-to-face meetings. You aggressively deny anything we say. Your demeanor and body language are defiant and condescending, including rolling your eyes and snorting in a derisive way towards what we say; you show no interest in what we have to say.
- Additionally, as part of your job functions, you have access to sensitive and confidential payroll and salary information. You used confidential information regarding a peer to argue your request for a pay increase. It is inappropriate for you to use the information you have access to in the normal functions of your role for your personal purpose. We make all compensation decisions based on overall job performance and will not further discuss another employee’s compensation.

It is an expectation that a professional demeanor and behavior is maintained at all times and an appropriate sound level is maintained for an office environment. Insubordination will be not tolerated.

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2. All deadlines are met; work is submitted on time, all the time.
3. All directions from supervisor are followed without pushback.
4. Professional behavior is maintained at all times.
5. Complete all job responsibilities from job description and work tasks lists. Other duties, responsibilities and activities may change or be assigned at any time with or without notice. **The job description and tasks list are not designed to cover or contain a comprehensive list of activities, duties or responsibilities that are required of the employee. Other duties, responsibilities and activities may change or be assigned at any time with or without notice.**

Ivan, it is important for you to know that we are here to help you be successful, but you must be willing to take ownership of the feedback that is being provided.

If you would like to speak with someone outside of work regarding this incident or any other personal issues please consider contacting Managed Health Network, Inc. (MHN), Cushman & Wakefield’s free and confidential third-party Employee Assistance Program (“EAP”) provider. The telephone number for MHN is 1-844-523-3364. You may also explore more about this confidential service by visiting their website at:

mhn.advantageengagement.com
Register with the company code: cushwake

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **To Man Pang**
8515 Main Street, #10G
Briarwood, NY 11435

From: **New York District Office**
33 Whitehall Street
5th Floor
New York, NY 10004

☐

On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2019-03163

D. Young,
Investigator

(929) 506-5309**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**
☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Dey

Enclosures(s)

Judy A. Keenan,
District Director

(Date Mailed)

cc: **Attn.: Blythe Lovinger**
Director of Human Resources
CUSHMAN & WAKEFIELD
1290 Avenue of the Americas
New York, NY 10104

Attn.: Mr. Trevor Brice, Esq.
LAW OFFICE OF WYATT & ASSOCIATES, PLLC
63 Eerald Street, PMB #: 603
Keene, NH 03431

Enclosure with EEOC
Form 161 (11/16)

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice **and** within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do **not** relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

Enclosures(s)

cc: **Blythe Lovinger**

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**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION****New York District Office**

33 Whitehall Street, 5th Floor
New York, NY 10004-2112
For General Information: (800) 669-4000
TTY: (800)-669-6820

Mr. To Man Pang
8515 Main Street, #10G
Briarwood, NY 11435

Re: To Man Pang v. Cushman & Wakefield
EEOC Charge No. :520-2019-03163

Dear Ms. Pang:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have examined your discrimination charge based upon the information and evidence you submitted.

Based on an analysis of the information submitted by both parties in this matter, the Commission is unable to conclude that the information obtained establishes violations of the Federal Laws enforced by this agency. Therefore, your charge will be dismissed. This does not certify that the Respondent is in compliance with the statutes. No finding is made as to any other issue that might be construed as having been raised by this charge.

The Commission's processing of this charge has been concluded. Included with this letter is your Notice of Dismissal and Right to Sue. Following this dismissal, you may only pursue this matter by filing suit against the Respondent named in the charge with 90 days of receipt of said notice. Otherwise, your right to sue will be lost.

Please contact investigator Young at (929) 506 - 5309 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Judy Keenan", is written over a horizontal line.

Dey

for

Judy Keenan
District Director

Date

cc

Attn.: Mr. Trevor Brice, Esq.
LAW OFFICE OF WYATT & ASSOCIATES, PLLC
63 Eerald Street, PMB #: 603
Keene, NH 03431

Appendix IX – Job responsibilities

Daily/Weekly

Upload JE & Payroll from Winnie
Review OOGMP charges from Christine
Prepare JE for bank charges, wire transfer and fund request
Checking Canadian Bank activities

Monthly

Perpare accruals of open PO for all regions
Financial package for Bill - Trade Payables, Top 20 Vendor, Accrued Expenses and Demand PO reports for both Canada and US.
Allocation vendor tending reports - ABM, BrightView, Thomas & Metts, Pest Elimination, Terminix, Simplex, Otis VJ Kearney and C&W Service.
Cleaner & Engineer PR tending report - all employees for all paid period and rollup summary
Perpare Verizon invoices with names and building codes allocations upload for 12 accounts
Perpare P-card statement with names, accounts and building codes allocations upload
Prepare allocation vendor accrue upload for missing invoices and invoices without PO.
Soild Waste invoices accrue and prepare upload from Citi
Snow removal accruals for snow seasons
Generate Open PO reports and send out to all three regions
Enter all the Citi monthly charges
Perpare cleaning analyze review
Enter allocation vendor discount
Perpare accruals for No PO invoices

Annually

Prepare annual budgets and upload

Ad hoc projects

Prepare PR upload when Winnie is on vacation
Review allocation vendor monthly invoice upload when Anthony is on vacation
Enter daily deposit when Christine is out.
Enter manual check when Lina is out.
Audit projects

Appendix X – Note from manager indicate bonus cut

Rating: Need Improvement

2019 Merit Increase 0%

2019 Bonus 50% of target Bonus
\$4,241.05 10%